HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.12407 of 1996

Between:

Smt. Teegala Venkataratnamma …Petitioner.

AND

Commissioner, Survey, Settlements &

Land Records, Government of Andhra

Pradesh, Hyderabad & others. …Respondents.

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:: O R D E R ::

Counsel for the Petitioner : Sri Y. Nagaiah, Advocate

representing Sri A.P. Rao

Counsel for the Respondents : Government Pleader for Revenue

19th APRIL 2006

This petition filed on 26-6-1996 should have been disposed of at the threshold because the only prayer made by the petitioner is that she should not be evicted from the land measuring Ac.10.00 comprised in Survey No.202 situated at Thatiparthi village, Madugula Mandal, Visakhapatnam District during the pendency of revision in S.R.No.V2/449/96. However, the fact of the matter is that the petition has remained pending for the last almost ten years and during this entire period, the petitioner has enjoyed the protection of ad interim order dated 28-6-1996 passed by this Court.

At the commencement of arguments, I enquired from the learned counsel for the petitioner whether the revision filed by his client against order dated 12-4-1996 passed by Director of Settlement has been decided, but he could not give any reply. Learned Government Pleader for Revenue is in no better position. He too says that he is not aware about the present status of the revision petition which was pending before Commissioner, Survey, Settlement and Land Records, Andhra Pradesh on the date of filing of the writ petition.

In my opinion, inability of the learned counsel for the parties to assist the Court to disclose the present status of the revision filed by the petitioner against order dated 12-4-1996 has left the Court with no choice but to dispose of the writ petition with an innocuous direction to Commissioner, Survey, Settlement and Land Records, Andhra Pradesh to pass appropriate order on the revision filed by the petitioner.

Hence, the writ petition is disposed of with the following directions:

i. The petitioner is directed to appear before Commissioner, Survey, Settlement and Land Records, Andhra Pradesh on April 26, 2006. Within next one month, the officer concerned shall decide the revision petition filed by her.

ii. If the petitioner fails to appear on the appointed date, then the officer concerned shall be free to proceed ex parte and pass appropriate orders.

iii. If the Commissioner, Survey, Settlement and Land Records, Andhra Pradesh has already decided the revision petition, then he shall not be required to pass fresh order.

Learned Government Pleader for Revenue should inform Commissioner, Survey, Settlement and Land Records, Andhra Pradesh that in terms of the direction given by the Court, he is required to finally dispose of the revision filed by the petitioner within a period of one month.

G.S. SINGHVI, C.J.

19th April, 2006.

Note: The Court Officer is directed to give an attested copy of this order to the learned Government Pleader for Revenue.

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